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Subcommittee on Oceans and Fisheries

Senate Committee on Commerce, Science, and Transportation Portland, Maine

Testimony of

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Reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act

Senator Snowe and members of the Subcommittee on Oceans and Fisheries, my name is Patten White, Executive Director of the Maine Lobstermen's Association. On behalf of the MLA members, I would like to thank you for the opportunity to submit the following comments concerning the reauthorization of the Magnuson-Stevens Act.

The Magnuson act states that rebuilding periods for overfished stocks must be 10 years or less. The Act also states that the rebuilding periods must take social and economic conditions into consideration. My fear is that if management continues to focus on the time frame only, the social structure of the fishing communities will become victims of a too rigid and uncompromising set of regulations which ignores one of the conditions put forth in the Act.

As directed in the habitat section of the Act, the Secretary set a schedule for the amendment of fishery management plans to include the identification of essential fish habitat. The New England Fishery Management Council's Habitat. Committee submitted an identification of habitat to the Council and it was approved in less than one year. The entire Northwest Atlantic has subsequently

been deemed essential fish habitat for one species or another based on the areas in which the species were harvested. Unfortunately, too little attention has been paid to the makeup of the ocean floor as well as the impact made by certain gear types on that habitat which may be negatively impacting the living habits of certain species. I am very concerned that the language used in the habitat section lacks definitiveness. In my experience, a recommendation may or may not be accepted or followed. There is no clear mandate which will precipitate action to preserve and enhance habitat.

The current focus is on single species management. Fishermen are being locked out of fisheries and being forced to concentrate more on fewer species. The long Maine tradition of a fisherman being able to seasonally switch the species he harvests appears to be gone forever. Fishermen have lost fishing permits because they didn't have landings during a specified time period. This type of restrictive management encourages increased effort on targeted single species which accelerates effort

Sec. 302 The Secretary shall ensure a fair and balanced apportionment of active participants on the Councils in the commercial and recreational fisheries. 28% of the value of fish landed in New England is lobster. Currently there is not one representative from that industry on the New England Fishery Management Council, This is an example of politics obstructing responsible fisheries management. I find this inexcusable.

Sec. 303 A council may not submit and the Secretary may not approve or implement before October 1, 2000 any plan which creates a new individual fishing quota program.
I feel this restriction should be continued in the re-authorization.

Many of the directives in the Act appear to be unfunded mandates. Those having to do with science and research are good examples. Although the Act calls for management decisions to be based on the best scientific information available, too often that information is dated and therefore inaccurate. Far too little money is made available for research. Funding should also be made available to establish good at-sea observer programs in order to make better use of the research platforms that are on the water every day- the fishing fleet.

The current system of top-down governance and regulation too often fails to involve those parties who are most affected by management decisions. The process for developing fishery management plans should begin and continue with industry, science and management working together. Their goals are the same; preservation and enhancement of the resource.

I thank you for the opportunity to speak today and I applaud your efforts to include public input in a matter of such importance as the reauthorization of the Magnuson Act.